

From: KarenD Johnson/R3/USEPA/US
Sent: 10/21/2011 7:31:37 AM

To: Victoria Binetti/R3/USEPA/US@EPA
CC: Nan Ides/R3/USEPA/US@EPA; Michael Eller/R3/USEPA/US@EPA
Subject: Re: PA DEP and drilling companies agreement

I am also confused. We get referred these to follow up on them,

Ex. 5 - Deliberative

Ex. 5 - Deliberative I would prefer that the Marcellus team follow up on these since they are very difficult and time consuming for me and my staff (and do nothing for our relations with the state!). This one in particular has had many hands, except ours, involved from the start. I think Angela, Ellen and others have had more input than we have... I inquired to Scott Perry about the settlement about 6 months ago when the water line was on again off again and he sent me the settlement that was finalized, without the water line, and that is when most of the complaints started!! The residents thought that it was unreasonable not to make Cabot pay for a 12+ mile water line to hook them in to public water, but the PUC was the one that voted it down saying it was unreasonable to spend about \$12 M to run the line.. Some of the residents have always had bad water, before Cabot. Others have what they claim are new problems, but Cabot didn't pre-sample, so they have been held liable by the state oil and gas regulations for about 20+ home water systems. They have agreed to settle for 2X's the property value, minimum \$50 K, and installation of a water filtration system to remove methane. The residents are not satisfied and filed a civil suit. **Ex. 5 - Deliberative**
water system is not available. **Ex. 5 - Deliberative**

Now Dave says the water is testing fine and is meeting MCL's (there isn't an MCL for methane), so Cabot wants to turn off the alternate water. I understood the water was going to cease at some point if the citizens didn't agree to the settlement so we'll check out the status.

Mike- Vicky seems to think you were talking to a resident earlier this week..does this complaint ring a bell??

Karen D. Johnson, Chief
Ground Water & Enforcement Branch

From: Victoria Binetti/R3/USEPA/US
To: Nan Ides/R3/USEPA/US@EPA
Cc: KarenD Johnson/R3/USEPA/US@EPA
Date: 10/20/2011 03:09 PM
Subject: Re: PA DEP and drilling companies agreement

Nan, I think there is some confusion. The attached complaint is about a very specific situation (about Cabot and Dimock), but there isn't a PADEP "agreement with drilling companies." It sounds that you've seen something in "plural." I think this complaint relates to the settlement (Cabot & PADEP) that obligated Cabot to provide alternate water and a cash settlement to folks allegedly impacted by faulty well construction in Dimock.

Also, there isn't a letter response to "these complaints," as any general category. We investigate complaints, of course. But we would only write a letter in reply to a letter.

Is there something you're seeing, in terms of the complaints, that we're missing? You may have a different vantage point.--
Vicky

Victoria P. Binetti
Associate Director, Drinking Water & Source Water Protection
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From: Nan Ides/R3/USEPA/US
To: KarenD Johnson/R3/USEPA/US@EPA, Victoria Binetti/R3/USEPA/US@EPA
Date: 10/20/2011 02:43 PM
Subject: PA DEP and drilling companies agreement

Karen: I understand that your office is handling complaints about the PA DEP agreement with the drilling companies. The agreement which, as far as I can tell from the complaints state that the drilling companies do not have to continue to supply clean water to residents with private wells.

Is this really the case. How are we responding to these complaints? (if easier, you could send me a copy of a letter response as an example)

Example: complaint from the Tip Line today

[attachment "2011-416.xlsx" deleted by Victoria Binetti/R3/USEPA/US]

Thanks
Nan

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